McWANE

1143 VANDERBILT ROAD
BIRMINGHAM
ALABAMA
(205) 323-8284
FAX (205) 324-0431
EMAIL: JRADIA@MCWANE.COM

September 30, 2011

JEET RADIA, P.E., CIH SENIOR VICE PRESIDENT ENVIRONMENT, SAFETY & HR

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street, NW, 2<sup>nd</sup> Floor Washington, D.C. 20004

Deborah Reyher 601 D Street, NW, 2<sup>nd</sup> Floor Washington, D.C. 20004

United States Attorney for Northern District Alabama 1801 Fourth Avenue North Birmingham, AL 35203

Director
Special Litigation and Projects Division
Office of Civil Enforcement
Bldg. Ariel Rios South, 3<sup>rd</sup> Floor, Room 3118B
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20004

Compliance Tracer, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Robert A. Kaplan
Regional Counsel
U.S. Environmental Protection Agency
Region 5
Mail Code C-14J
77 West Jackson Boulevard
Chicago, Illinois 60604



Rebecca E. Patty
Associate General Counsel
Alabama Department of Environmental Management
1400 Coliseum Blvd.
Montgomery, AL 36110-2059

Brian Hutchins
Air Compliance and Monitoring Section
Iowa Department of Natural Resources
Air Quality Bureau
7900 Hickman Road, Suite 1
Windsor Heights, IA 50324

David R. Sheridan
Assistant Attorney General
Environmental Law Division
Iowa Department of Justice
Lucas State Office Building
321 East 12<sup>th</sup> Street, Room 018
Des Moines, IA 50319

James M. Proctor II McWane, Inc. 2900 Hwy 280, Suite 300 Birmingham, AL 35223

# Dear Sir or Madam:

The Quarterly Report for May 1, 2011 to July 31, 2011 was originally sent to you on August 30, 2011. However, it has come to our attention that a few pages were missing from the original report. These pages were from Attachment D, Appendices 2-4. Enclosed is an updated report with the missing pages included. This Quarterly Report is being sent as required by the Consent Decree for Civil Action No.CV-10-JEO-1902-S.

Jeet Radia

Senior Vice President - Environment, Safety & HR

McWANE,

1143 VANDERBILT ROAD BIRMINGHAM ALABAMA

35234
(205) 323-8284
FAX (205) 324-0431
EMAIL: JRADIA@MCWANE.COM

JEET RADIA, P.E., CIH SENIOR VICE PRESIDENT ENVIRONMENT, SAFETY & HR

August 30, 2011



Quarterly Report for the period from May 1, 2011 to July 31, 2011 Required Under Consent Decree for Civil Action No. CV-10-JEO-1902-S

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Jeet Radia

Senior Vice President - Environment, Safety & HR

# Consent Decree under Civil Action No. [CV] 10-JEO-1902-S

McWane, Inc. Quarterly Report

MAY 1, 2011 - JULY 31, 2011

This report is being submitted in accordance with Section VII (Reporting Requirements) of the Consent Decree. Unless otherwise specified, all information herein refers to the reporting period from May 1, 2011 to July 31, 2011.

# A. STATUS OF ANY COMPLIANCE MEASURES REQUIRED UNDER SECTION V OF THE CONSENT DECREE (COMPLIANCE REQUIREMENTS).

## i. Previously Completed Corrective Action:

Corrective actions identified in Appendix I of the Decree have been fully completed as of the date of lodging of the Consent Decree. McWane is maintaining documentation existing as of the date of lodging of the Consent Decree of all such corrective actions, in accordance with Section XI (Information and Document Retention) of this Decree.

# ii. Storm Water Pollution Prevention Plans (SWPPP):

There have been no changes to the Storm Water Pollution Prevention Plan procedure (EP-006) in the McWane Environmental Management System during this reporting period.

### iii. Clow Water Systems Company, Coshocton, Ohio:

The Cupola Emission System operated in accordance with Ohio EPA Permit PTI# 06-07432 and Appendix III of the Consent Decree.

#### iv. Environmental Management System:

The current McWane Environmental Management System (EMS) is fully implemented at all manufacturing facilities located in the United States. McWane is continuing to modify and improve the EMS to meet the requirements of the US EPA Compliance-Focused Environmental Management System (CFEMS) standard. Revisions were made to EP-103 EMS Applicability for Non-Manufacturing, Auxiliary and Other Sites and related forms. A revision was made to EP-008 Waste Management regarding waste disposal at company owned landfills. McWane's consultant conducted a follow-up review of the EMS implementation at Clow Water and Union Foundry to determine the compliance of the EMS with the CFEMS standard and to recommend needed changes and best practices. McWane is in process of implementing the EMS at the non-manufacturing facilities located in the United States.

#### v. Permits:

See Section D.

#### B. COMPLETION OF MILESTONES.

See section A (Status of Compliance Measures) and Section G (SEPs)